

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KYLEE ANDERSEN, MICHAEL
ANDERSEN, O.A., a minor, by and through
guardian ad litem Michael Andersen,
JESSICA ASBRIDGE, KEVIN ASBRIDGE,
K.A., a minor, by and through guardian ad
litem Kevin Asbridge, L.A., a minor, by and
through guardian ad litem Kevin Asbridge,
BRYCE BASKIN, FAITH BASKIN,
CRYSTAL COOPER, T.C., a minor, by and
through guardian ad litem Crystal Cooper,
AMBER FLETCHER, N.F., a minor, by and
through guardian ad litem Amber Fletcher,
A.F., a minor, by and through guardian ad
litem Amber Fletcher, EDWARD GODOY,
MELISSA GODOY, Z.G., a minor, by and
through guardian ad litem Edward Godoy,
R.G., a minor, by and through guardian ad
litem Edward Godoy, KATIE KEELEY,
MICHAEL KEELEY, D.K., a minor, by and
through guardian ad litem Michael Keeley,
A.K., a minor, by and through guardian ad
litem Michael Keeley, GEOFFREY
LUNDWALL, SHANA LUNDWALL, X.L.,
a minor, by and through guardian ad litem
Geoffrey Lundwall, X.L., a minor, by and
through guardian ad litem Geoffrey Lundwall,
COLBY ORR, DANIELLE ORR, C.O., a
minor, by and through guardian ad litem
Colby Orr, JULIO OSORIO, REBEKAH
OSORIO, FRANCES PAULINO, A.P., a
minor, by and through guardian ad litem
Frances Paulino, M.P., a minor, by and
through guardian ad litem Frances Paulino,

CASE NO. 3:21-cv-5391

ORDER ON JOINT STIPULATED
MOTION FOR DISMISSAL

ALEXANDRA PITTS, DURIEU PITTS,
A.P., a minor, by and through guardian ad
litem, Alexandra Pitts, CHANTINA
POWERS, PIERRE POWERS, A.P., a minor,
by and through guardian ad litem Pierre
Powers, T.P., a minor, by and through his
guardian ad litem Pierre Powers, T.P., a
minor, by and through guardian ad litem
Pierre Powers, A.P., a minor, by and through
guardian ad litem Pierre Powers, C.P., a
minor, by and through Pierre Powers,
CHELSEA JOHNSON, A.J., a minor, by and
through guardian ad litem Chelsea Johnson,
R.J., a minor, by and through guardian ad
litem Chelsea Johnson, VANESSA
STROTHER, K.S., a minor, by and through
guardian ad litem Vanessa Strother, K.S., a
minor, by and through guardian ad litem
Vanessa Strother, KELSEY WHITE, S.W., a
minor, by and through guardian ad litem
Kelsey White, T.W., a minor, by and through
guardian ad litem Kelsey White,

Plaintiffs,

v.

LEWIS MCCHORD COMMUNITIES LLC,
a Delaware limited liability company, and
LINCOLN MILITARY HOUSING LEWIS
MCCHORD PM LLC, a Delaware limited
liability company,

Defendants.

This matter comes before the Court on the parties' stipulated motion of dismissal. Dkt.
89. The Court previously approved a settlement for the minor children involved in this case,
ordering Plaintiffs to obtain and file Receipts of Deposit with the Court showing that the net
settlement proceeds to each minor child had been deposited as required by the Court's order

1 before the minor Plaintiffs' claims could be dismissed. Dkt. No. 85. The Court has reviewed the
2 docket and finds that Plaintiffs have filed the required Receipts of Deposit. Dkt. Nos. 87–88.

3 Through the stipulation, the parties also seek dismissal of the adult Plaintiffs' claims,
4 except Plaintiffs Edward and Melissa Godoy. As to the Godoys, the motion states that they "have
5 discharged all their attorneys," and that no attorney is authorized to seek dismissal on their
6 behalf. But their attorney, Andrew Kim, has not moved to withdraw from the legal representation
7 under LCR 83.2(b), and he remains listed as the Godoy's counsel of record. *See* Dkt. No. 60. The
8 stipulation is silent as to whether Kim plans to withdraw, and Kim did not sign the stipulated
9 dismissal on his clients' behalf. *See* Fed. R. Civ. P. 41(a)(1)(A)(ii) (dismissal by stipulation is
10 effective only if signed by "all parties who have appeared.").

11 Accordingly, the Court ORDERS as follows:

- 12 • All claims and causes of action by Plaintiffs Kylee Andersen, Michael Andersen,
13 Jessica Asbridge, Kevin Asbridge, Crystal Cooper, Amber Fletcher, Chelsea Johnson,
14 Katie Keeley, Michael Keeley, Geoffrey Lundwall, Shana Lundwall, Colby Orr,
15 Danielle Orr, Frances Paulino, Alexandra Pitts, Chantina Powers, Pierre Powers,
16 Vanessa Strother, and Kelsey White, on their own behalf and on behalf of each of their
17 minor children, as well as R.G. and Z.G., are hereby dismissed with prejudice, with
18 each side bearing its own costs and attorneys' fees.
- 19 • Counsel for Plaintiffs Edward and Melissa Godoy must comply with LCR 83.2, or
20 file a status report explaining why they are unable to comply with the Local Rules,
21 within 14 days of this order's issuance.
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1 Dated this 5th day of September 2023.

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4 Jamal N. Whitehead
5 United States District Judge
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